

Application **GRANTED**. The initial pretrial conference scheduled for September 25, 2024 **adjourned**

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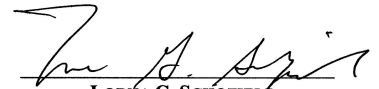
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BY ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Dated: September 24, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Ramos, et al. v. Banks, et al.*, 24-cv-5109 (LGS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, attorney for Defendants the New York City Department of Education (“DOE”) and DOE Chancellor David Banks in the above-referenced action. I write to request the adjournment of the Initial Conference currently scheduled for September 25, 2024, either *sine die*, pending the resolution Defendants’ upcoming motion to dismiss, or, in the alternative, until November 20, 2024. Defendants also seek a matching extension of the parties’ time to file a joint proposed Case Management Plan (CMP). This the second request to adjourn the Initial Conference in this matter and Plaintiffs’ consent to this request.

Defendants are seeking the requested adjournment in light of Plaintiffs’ recent amendment to their pleadings and the Court’s prior establishment of a briefing schedule for Defendants’ upcoming motion to dismiss (later slightly amended) during the September 3, 2024 conference with respect to Plaintiffs’ application for preliminary injunctive relief. Defendants are still in the process of reviewing Plaintiffs’ recently filed Amended Complaint and would appreciate some time to review the amendment prior to negotiating a proposed discovery schedule. Moreover, Defendants expect that the disposition of their upcoming motion will clarify substantially what (if any) discovery will prove necessary and that the requested adjournment *sine die* would avoid the potentially duplicative or altogether unnecessary use of party resources in discovery.

Alternatively, in the event the Court does not wish to adjourn the Initial Conference without setting a new date, Defendants ask that the Court grant an adjournment until November 20, 2024, or a date thereafter when the Court has availability. Adjourning the conference until mid-November would allow the parties and the Court to discuss a discovery schedule with the benefit of the parties' completed briefing on Defendants' upcoming motion to dismiss the Amended Complaint.

Accordingly, Defendants' respectfully request the adjournment of the Initial Conference in this matter either *sine die* pending the resolution of Defendants' upcoming motion to dismiss or until November 20, 2024, and a matching extension of the parties' time to submit a joint proposed CMP.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Daniel R. Perez

Daniel R. Perez
Assistant Corporation Counsel

cc: All counsel of record (via ECF)